

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30478 of 2021**

Arising Out of PS. Case No.-12 Year-2021 Thana- SIMRI District- Darbhanga

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BABAN YADAV @ BABAN KUMAR S/O LATE MAHABIR YADAV R/O
VILLAGE-SIMRI, P.S-SIMRI, DISTRICT-DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-02-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State video conferencing.

The petitioner apprehends his arrest in connection with Simri P.S. Case No. 12/2021 registered for the offences punishable under Sections 341/323/324/307/120(B)/302 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted by learned counsel for the petitioner that the petitioner is a government servant. The meeting was being held in his house but he has no role in the killing of the deceased. He also submitted that the deceased has not taken the name of the petitioner as an assailant.



Considered the submissions of the petitioner.

The petitioner is a government servant and not the assailant of the deceased and he had a clean antecedent but because of this occurrence, another case of Arms Act has also been registered against him.

Considering the facts and circumstances, the present anticipatory bail application is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of ten weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, Darbhanga, in connection with Simri P.S. Case No. 12/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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